

ITEM	17
MANAGER'S REPORT NO.	83
COUNCIL MEETING	1979 12 10

RE: LETTER FROM RUTH E. LOWE AND EDMOND J. LOWE WHICH APPEARED ON THE AGENDA
FOR THE 1979 NOVEMBER 26 MEETING OF COUNCIL (ITEM 4h)
LOCAL IMPROVEMENT PROJECT, 6600 BLOCK, ROYAL OAK AVENUE

Attached is a copy of a letter from Ruth E. Lowe and Edmond J. Lowe to the Honourable W. N. Vander Zalm, Minister of Municipal Affairs, regarding a local improvement project on Royal Oak Avenue. Following is a report from the Municipal Engineer on this matter.

RECOMMENDATIONS:

1. THAT the recommendation of the Municipal Engineer be adopted; and
2. THAT a copy of this report be sent to the Honourable W. N. Vander Zalm, Minister of Municipal Affairs, Parliament Buildings, Victoria, B.C.

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TO: MUNICIPAL MANAGER 79 12 05
FROM: MUNICIPAL ENGINEER
SUBJECT: LOCAL IMPROVEMENT PROJECT, 6600 BLOCK ROYAL OAK AVENUE

RECOMMENDATION:

1. THAT Mr. and Mrs. E.J. Lowe, 6607 Royal Oak Avenue, Burnaby, V5H 3P5, be sent a copy of this report.

REPORT

On the Agenda for the Council meeting of 79 11 26 was a letter from Ruth E. Lowe and Edmond J. Lowe addressed to Mr. B. Vander Zalm.

In the Lowes' letter, mention was made of:

1. the Local Improvement Project notices, and,
2. the Traffic Management Project on Royal Oak Avenue, and,
3. the costing of the Project.

Comment will be made on these points in the order mentioned.

1. There is no way to establish with absolute certainty that the Lowes did or did not receive the notice of Council's intention to carry out the Local Improvement project on Royal Oak Avenue. Our records show that the required individual notices were sent as well as the required notice of the project having appeared in a local newspaper. The project covered a total of eight owners and the Clerk records there were no owners who signified objections to the project.

(cont'd)

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2. The Traffic Management project was included in the 1977 Capital Budget approved by Council. The work order for the project (22-206), was approved by Council 77 12 19. The work was required to allow for efficient assimilation and dispersal of traffic at the congested intersection of Kingsway and Royal Oak Avenue. This is only one of many such projects that are required to be designed and constructed by the Engineering Department through its continued Traffic Management function and as further called for in Council's Comprehensive Transportation Plan.
3. The cost to the owners of the section of Royal Oak Avenue that was constructed under the Local Improvement procedure is established by the Local Improvement Rates Bylaw; the rate is based on 60% of the average cost of a 28 foot street (even though in the case of Royal Oak Avenue a 46 foot street has been constructed).

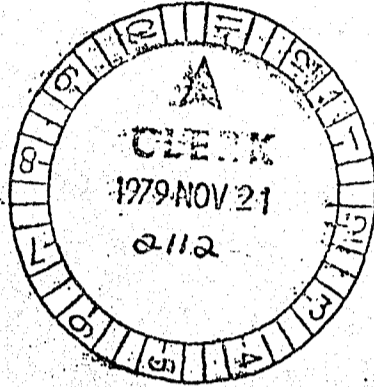
E.E. Olson
MUNICIPAL ENGINEER

EEO/VMT/ch

CC Municipal Clerk

CORRESPONDENCE AND PETITIONS
Regular Council Meeting
1979 November 26

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COUNCIL MEETING	1979 12 10



6607 Royal Oak Avenue,
Burnaby, British Columbia.
V5H 3P5
November 1, 1979.

Mr. B. VanderZalm,
Minister of Municipal Affairs,
Parliament Buildings,
Victoria, British Columbia.

Dear Mr. VanderZalm:

This letter is a complaint concerning unfair distribution of costs arising from road construction.

For over twenty-two years my husband and I have maintained our family home at the above address.

Approximately five or six years ago, the Municipality proposed "local improvement" of the road and sidewalk fronting our property. The existing road and sidewalk were in good condition and perfectly adequate for this type of residential area. We and our neighbours in the 6500 and 6600 blocks Royal Oak, all average income taxpayers who could ill afford additional unnecessary taxes, raised a successful petition to block this proposed improvement.

Last April, we learned by sheer chance from a very agitated neighbour that the Municipality was then in fact making preparations for the widening of Royal Oak Avenue. I immediately contacted Mr. Hudson, Clerk at the Burnaby Municipal Hall, who stated that a notice had been mailed to our home in February. We did not receive any such notice. Had we been informed, we most certainly would not have waited until April to voice our opposition.

The purpose of the "local improvement", now a fait accompli, is quite apparent - it is to create a two-block widened thoroughfare on Royal Oak to facilitate egress from Kingsway and from Imperial which are both main arteries, and to alleviate congestion at the intersections. It is clearly a Municipal traffic project for which the homeowners en route are to be shafted, and I stress homeowners. Recently we learned that property owners in the 6500 block Royal Oak (now business premises and holding properties) will pay no cost - a special traffic fund will absorb their share; however, the residences in the 6600 block, past which the same volume of traffic must necessarily flow, are to be assessed additional taxes. This is patently the most flagrant discrimination.

- AGENDA 1979 11 26
- COPY - MANAGER
- ENGINEER (FOR REPORT)
- TREASURER

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My husband and I request a complete report on costing for this project and would appreciate your looking into the facts and advising us of your view of the situation.

Yours truly,

Ruth E. Lowe
 Ruth E. Lowe

Edmond J. Lowe
 Edmond J. Lowe

REL/bh

c.c. Mayor T. Constable, and Council, ✓
 Corporation of the District of Burnaby,
 Canada Way,
 Burnaby, British Columbia.

Et R.E. Lowe
 6607 ROYAL OAK
 LOTS 15+16 Block 31
 D.L. 152
 PROJECT 78-035
 14 M PAVEMENT WITH CURB
 BOTH SIDES, ORNAMENTAL
 STREET LIGHTING, STORM
 SEWERS AND TREES AS
 REQUIRED
 ROYAL OAK AVENUE FROM
 GRIMMER STREET TO S.P.
 OF LAKE STREET.
 NO. OF OWNERS 8
 51% READ TO DEFEAT 5
 NO. OF PETITIONERS NIL
 INITIATED:
 1979 FEBRUARY 26